

EXHIBIT 10

PRE-COMPLAINT INTAKE INTERVIEW

PART I: **PRELIMINARY:** (EEO official to complete only those that are applicable.)

- ☐ Date of informational inquiry: _____
- ☐ Date of receipt of Request for Counseling: _____
- ☒ Date of telephonic or in-person contact to initiate EEO process: 4 Sep 02
- ☒ Date pre-complaint intake interview scheduled for: 4 Sep 02
- ☐ Date pre-complaint intake interview canceled by EEO official: _____
- ☐ Date aggrieved cancelled pre-complaint intake interview: _____
- ☐ Date pre-complaint intake interview rescheduled for: _____
- ☐ Aggrieved failed to reschedule pre-complaint intake interview (See Part IX).
- ☐ Aggrieved failed to show for scheduled pre-complaint intake interview (See Part IX).
- ☐ Other (Explain) _____

PART II: **PRE-COMPLAINT INTAKE INTERVIEW:**

NAME OF AGGRIEVED: Windsor Ruthie L
(Print - Last, First, Middle Initial)

TITLE, SERIES & GRADE
Information Technology Specialist
GS-2210-11

SSN: 420-72-3383

RACE: Black GENDER: F

DEFENDANT'S
EXHIBIT NO. 10

CASE NO.
1:05-CV-1196-B

026-04-02

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AGGRIEVED'S CURRENT POSITION AND ORGANIZATION ASSIGNED TO:

Information Technology Specialist
US Army Aviation Technical Test Center
(ATTC)

WORK TELEPHONE: 5-8074 HOME TELEPHONE: [REDACTED]

MAILING ADDRESS:

[REDACTED]
[REDACTED] 36330

E-MAIL ADDRESS: ruthie.windsor@attc.army.mil

DATE PRE-COMPLAINT INTAKE INTERVIEW CONDUCTED: 4 Sep 02

☐ By Telephone

☒ In-Person

☐ Other (facsimile/E-mail)

PRE-COMPLAINT INTAKE INTERVIEW CONDUCTED BY:

☐ EEO Official: Patricia York
(Print First and Last Name)

☐ EEO Counselor: _____
(Print First and Last Name)

PART III: BASIS OF COMPLAINT: (IDENTIFY ONLY THE ONE(S) THAT THE COMPLAINT IS BASED ON)

☒ RACE (INDICATE YOUR RACE) Black

☐ COLOR (INDICATE YOUR COLOR) _____

☐ NATL ORIGIN (INDICATE YOUR COUNTRY OF ORIGIN) _____

☐ SEX: Male ☐ Female ☐

☐ AGE _____ (Indicate your Date of Birth) _____

☐ RELIGION: (Indicate your religion) _____

☐ DISABILITY:

☐ Physical _____

☐ Mental _____

☐ REPRISAL

(Give date or dates of participation in prior EEO activity and identify activity)

If applicable, have you discussed this matter with your chain of command, the IG, or have you filed a union grievance or MSPB appeal, or with any other agency?

YES _____ NO ☒ If YES, give details (who, when, organization, telephone number): _____

PART IV:

a. ISSUES: (INCIDENT(S) GIVING RISE TO COMPLAINT) (Frame issue specifying why (basis), who, when, what, where and dates for each incident.) Use additional sheet of paper if necessary.

Was the aggrieved discriminated against on the basis of (add the basis)

race (black)

when on (date)

20 Aug 02

(state incident or allegation)

she was informed that additional duties
she is performing does not warrant a

Promotion.

b. NAME, TITLE AND ADDRESS OF ALLEGED DISCRIMINATING OFFICIAL (Principal Agency Witness-PAW), ORGANIZATION AND TELEPHONE NUMBER AND E-MAIL (IF KNOWN):

LTC Keith Darrow ATC

5-8088/8261

Keith.darrow@attc.army.mil

c. NAME, ORGANIZATION, TELEPHONE NUMBERS AND E-MAIL (IF KNOWN) OF OTHER WITNESSES WITH FIRST HAND KNOWLEDGE OF THE INCIDENT.

d. NAME, ADDRESS, TELEPHONE NUMBER AND E-MAIL ADDRESS OF REPRESENTATIVE, IF ANY.

*Ms. Kristin D. Alder, Passman & Kaplan, PC.
1090 Vermont Avenue, NW, Suite 500
WASH DC 20005 (202) 789-0100*

PART V: RELIEF SOUGHT:

1) \$300,000 compensatory damages
2) Promotion to GS-2210-12 (pp13) step 10
retroactive to June 1991

PART VI: DISCUSSION:

The aggrieved was provided with the handout entitled Rights and Responsibilities and was specifically informed of the following:

- ☒ The basis(es) for filing pre-complaint, formal complaint, and/or class complaint, and of right to file.
- ☒ The pre-complaint, formal and/or class complaint process.
- ☒ The 45-day requirement to contact an EEO Official from effective date of personnel action or of the date of the matter alleged to be discriminatory.
- ☒ The role of the EEO counselor is to conduct the inquiry (contact only individual with first hand knowledge), gather the facts, attempt resolution and conduct the final interview within 30 calendar days and write a counselor's report.
- ☒ The counselor is not an advocate for either the aggrieved person or the agency and acts strictly as a neutral party (The counselor will not state his/her opinion about the merits of the complaint).
- ☒ The activity's Alternative Dispute Resolution (ADR) Program and right to elect either ADR or counseling if ADR is offered.

- ☒ The right to representation throughout complaint process.
- ☒ The requirement of the aggrieved person to notify EEO office in writing of non-attorney or attorney representation, including address and phone number.
- ☒ The requirement of the aggrieved person to notify EEO office in writing of any change in address and phone number.
- ☒ The right to remain anonymous during the pre-complaint process.
- ☒ The possible election requirement between a negotiated grievance procedure and the EEO complaint process.
- ☒ The election options in age and wage based discrimination complaints.

PART VII: SUMMARY (EEO official to complete only those that are applicable. Aggrieved must initial only those that are applicable and designated for initialing.)

- ☒ Elect to participate in traditional counseling.
- ☐ Willing to participate in ADR if offered.
- ☐ Elect to remain anonymous.
- ☒ Elect to waive right to remain anonymous.
- ☐ Declination of aggrieved to pursue matter under Title VII.

Ruthie L. Windsor
(Printed name of aggrieved person)

Ruthie L. Windsor
(Signature of aggrieved person)

4 Sep 02
(Date)

Patricia J. Park
(Signature of EEO official)

4 Sep 02
(Date)

E.O. Assistant
(Title of EEO official)

PART VIII: ALTERNATIVE DISPUTE RESOLUTION (ADR)

☐ Matter determined not appropriate for ADR.

(EEO officer must initial and date)

☐ Matter determined appropriate for ADR.

(EEO officer must initial and date)

PART IX: OUTCOME (To be completed by EEO official.)

Pre-complaint Intake Interview resulted in the election of:

☒ Traditional counseling and assignment of EEO counselor.

Name of assigned EEO counselor: Kelly Stanley

Date EEO counselor assigned: 4 Sep 02

☐ Participation in ADR.

Date of written offer of ADR _____

Date of Agreement to Participate in ADR _____

Name of assigned ADR
facilitator/mediator _____

Date ADR facilitator/mediator
assigned _____

☒ Assignment of following DA Docket Number: ALLUCKER 02 Sep 00 #13

☐ Declination of aggrieved to pursue matter under Title VII.

PATRICIA A YORK
(Printed name of EEO official)

EO Assistant
(Title of EEO official)

Patricia A York
(Signature of EEO official)

4 Sep 02
(Date)

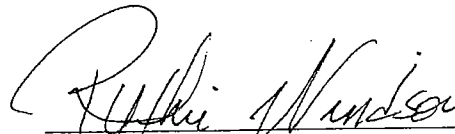
PRIVACY ACT STATEMENT (6 U.S.C. §552a)

Authority: Public Law 92-261

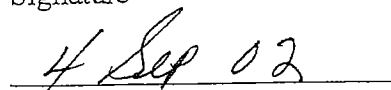
Purpose: Used for processing of complaints of discrimination because of race, color, national origin, religion, sex, age, physical or mental disability, or reprisal by Department of the Army civilian employees, former employees, or applicants for employment.

Routine Uses: Information will be used (a) as a data source for complaint information for production of summary descriptive statistics and analytical studies of complaints processing and resolution efforts and may also be used to respond to general request for information under the Freedom of Information Act; (b) to respond to request from legitimate outside individuals or agencies (Congress, White House, Equal Employment Opportunity Commission) regarding the status of a complaint or appeal; or (c) to adjudicate complaint or appeal.

Disclosure: Voluntary, however, failure to complete all appropriate portions of this form may lead to rejection of complaint on the basis of inadequate data on which to determine if complaint is acceptable.



Signature



Date